

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AF ZZW
1646
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In re Application of:

OKAMURA et al.

Appln. No.: 09/050,249

Filed: March 30, 1998

For: IFN- γ PRODUCTION INDUCING PROTEIN...

ATTY.'S DOCKET: OKAMURA=2B

Conf. No.: 6601

Art Unit: 1646

Examiner: D. Jiang

Washington, D.C.

April 29, 2005

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated November 1, 2004, of the Primary Examiner. The claims appealed are claims 93-120.

The item(s) checked below are appropriate:

Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

XXX \$500.00

\$250.00 (small entity)

Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

[] First - \$ 60.00

[] Second - \$225.00

[] Third - \$510.00

month after time period set

Other Than Small Entity
Response Filed Within

[] First - \$ 120.00

[] Second - \$ 450.00

[X] Third - \$1020.00

month after time period set

[X] Less fees (\$450.00) already paid for 2 months extension of time on March 29, 2005.

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 570.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

05/03/2005 HALI11 00000145 09050249

01 FC:1253

570.00 DP

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
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